

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DARREYLL T. THOMAS,

Plaintiff,

v.

MEREDITH MASHAK, GWEN SCHULTZ
and JAMES GREER,

Defendants.

ORDER

16-cv-496-bbc

On November 9, 2017, I granted summary judgment in favor of defendants Meredith Mashak, Gwen Schultz and James Greer on plaintiff Darreyll Thomas's Eighth Amendment and common law negligence claims regarding an alleged failure by defendants to provide him needed medication. Dkt. #51. Now before the court is plaintiff's motion under Fed. R. Civ. P. 59(e) and 60(b) for reconsideration of both the summary judgment order and a previous order denying plaintiff's motion for leave to amend his complaint. Dkt. #53.

In denying plaintiff leave to file an amended complaint, I explained that plaintiff's request was untimely, would unfairly prejudice defendants and would require the court to set a new schedule for the case. Dkt. #41. In granting summary judgment to defendants, I concluded that plaintiff had failed to submit evidence showing that any of the named defendants were responsible for the delay in his receiving medication. Plaintiff's motion for reconsideration does not cite any evidence or legal authority that undermines these

conclusions. Accordingly, I am denying the motion.

ORDER

IT IS ORDERED that plaintiff Darryell Thomas's motion for reconsideration of the court's orders denying him leave to file an amended complaint. dkt. #53, and for summary judgment, dkt. #51, is DENIED.

Entered this 21st day of February, 2018.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge